

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA

1. TRI-STATE ELECTRICAL)
CONTRACTORS, LLC,)
Plaintiff(s),) Case No. CIV-22-856-J
v.)
1. CONSOLIDATED ELECTRICAL)
DISTRIBUTORS INC.; 2. ACCIDENT)
FUND; 3. AMERICAN FAMILY LIFE)
ASSURANCE; 4. ARKANSAS ELECTRIC)
COOPERATIVES; 5. AUTOMATION-X)
CORPORATION; 6. AWC, INC.; 7. BALDOR)
ELECTRIC COMPANY; 8. BANK OF)
AMERICA, NA; 9. BLUEVINE; 10. CITY)
ELECTRIC SUPPLY; 11. CITY OF)
EDMOND; 12. CONTRACTORS SUPPLY)
CO.; 13. CROSS COUNTRY)
INFRASTRUCTURE SERVICES, INC.; 14.)
CRUM ELECTRIC SUPPLY; 15. CYCLONE)
SERVICES, LLC.; 16. DAVIS H. ELLIOT)
CONSTRUCTION CO.; 17. DEALERS)
ELECTRICAL SUPPLY; 18. DUTTON)
RENT-ALL, INC.; 19. EIDE BAILLY LLP;)
20. ETI PREMIUM FINANCE; 21. EVANS)
ENTERPRISES, INC.; 22. GEA OF TEXAS,)
INC.; 23. GEOTAB USA, INC.; 24. GLOBAL)
ENERGY SOLUTIONS, LLC; 25. GRAYBAR)
ELECTRIC COMPANY, INC.; 26. H&E)
EQUIPMENT SERVICES, INC.; 27.)
HEADWAY CAPITAL; 28. HEALTH CARE)
SERVICES CORPORATION; 29. HOME)
DEPOT; 30. INCORP; 31. J.P. MORGAN)
CHASE & CO.; 32. LOCKE SUPPLY; 33.)
LONESTAR WEST ENTERPRISES, LLC; 34.)
MERCURY FUNDING; 35. PIPELINE)
TESTING CONSORTIUM, INC.; 36. PITNEY)
BOWES GLOBAL FINANCIAL; 37.)
PRECISION FITTING & GAUGE CO.; 38.)
PROSTAR SERVICES OKLAHOMA DBA;)

39. QUEEN/WG FUNDING; 40. R.K.)
BLACK, INC.; 41. REXEL, INC.; 42. RICH &)
CARTMILL, INC.; 43. SECURITY BANK;)
44. STRUONG DESIGNS, LLC; 45.)
SUNBELT RENTALS, INC.; 46. TERRY)
WARD; 47. TEXAS COMPTROLLER OF)
PUBLIC ACCOUNTS; 48. THE I.T. GUYS,)
LLC; 49. T-REX SERVICES; 50. UI, LLC; 51.)
UNIQUE FUNDING; 52. US MONITORING)
INC.; 53. U.S. SMALL BUSINESS)
ADMINISTRATION; 54. VERIFORCE; 55.)
W&W ELECTRIC MOTOR SERVICE, INC.;)
56. WALL FUNDING; 57. WARREN CAT)
RENTAL; 58. WESCO INTERNATIONAL,)
INC.; AND 59. YASKAWA ELECTRIC)
AMERICA.)
Defendant(s).)

**NOTICE OF REMOVAL TO THE
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

TO THE HONORABLE JUDGES OF THE UNITED STATES
DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA:

Assistant United States Attorney Kay Sewell respectfully represents the following:

1. U.S. Small Business Administration (hereinafter “SBA”) is a United States Government Agency named as an entity that may be entitled to recovery in this interpleader action. This notice of removal involves a civil action pending in the District Court of Oklahoma County, State of Oklahoma styled *Tri-State Electrical Contractors, LLC*, vs. *Consolidated Electrical Distributors, Inc., et al.*; Case No. CJ-2022-3695. No trial has occurred in this matter. Pursuant to 28 U.S.C. §§ 1442, 1446 and Local Civil Rule 81.2, attached are copies of all process, pleadings, and orders served upon the United States Attorney’s Office for the Western District of Oklahoma in this action. (See Ex. 1

(Summons); Ex. 2 (Am. Pet. in Interpleader); and Ex. 3 (Copy of OSCN Docket Sheet from Oklahoma County).)

2. The Petition filed in this action asserts the Plaintiff, Tri-State Electrical Contractors, LLC. (hereinafter “TEC”) has ceased operations and sold all its assets. After TEC paid its undisputed first-priority secured creditors, there is a balance of \$383,507.77 that needs to be distributed among the remaining Defendants. TEC is requesting the Court order the remaining Defendants to interplead and make claims for the remaining funds. (Ex. 2 at 5.)

3. SBA’s claim in this matter is considered to be secured and entitled to priority distribution.

4. This action is removable to this Court pursuant to 28 U.S.C. § 1442(a)(1) because the lawsuit involves a claim by U.S. Small Business Administration, an agency of the United States. Pursuant to the provisions of 28 U.S.C. § 1442(a)(1), the United States gives notice that the above-referenced action, now pending in the District Court of Oklahoma County, State of Oklahoma, is hereby removed to this Court.

ROBERT J. TROESTER
United States Attorney

s/ KAY SEWELL
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CERTIFICATE OF SERVICE

- x I hereby certify that on September 27, 2022, this document was submitted as an initiating document pursuant to ECF Policies & Procedures Manual, § II.A.2., to the following email new cases email address: newcases@okwd.uscourts.gov and that all initiating documents are attached as separate pdf files.
- x I hereby certify that on September 27, 2022, I served the attached Notice of Removal by U.S. Mail on the following counsel:

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s/ Kay Sewell
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Exhibits:

Exhibit 1 - State Court Summons (Oklahoma County)

Exhibit 2 - Petition in Interpleader (Oklahoma County)

Exhibit 3 - Oklahoma County OSCN Docket Sheet for CJ-2022-3695